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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

RICKY D. SIMON

CIVIL ACTION NO. 08-0288-LC

VS.

SECTION P

CALCASIEU PARISH SHERIFF'S
OFFICE, ET AL

JUDGE TRIMBLE


JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED that plaintiff's civil rights complaints be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim on which relief may be granted pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii);

IT IS FURTHER ORDERED that plaintiff's complaint, insofar as it seeks enforcement of plaintiff's constitutional right to a speedy trial, be **DISMISSED WITHOUT PREJUDICE** because plaintiff failed to exhaust available state court remedies prior to filing his claim in federal court.

THUS DONE AND SIGNED, in chambers, in Lake Charles, Louisiana, on this 6th
day of May, 2009.



JAMES T. TRIMBLE
UNITED STATES DISTRICT JUDGE